

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 ERNEST M. DURAN,

12 Petitioner,

13 v.

14 DAVID BAUGHMAN, Warden,

15 Respondent.
16
17

) Case No. CV 17-5922 AB(JC)

) ORDER ACCEPTING FINDINGS,
) CONCLUSIONS, AND
) RECOMMENDATIONS OF
) UNITED STATES MAGISTRATE
) JUDGE

18
19 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of
20 Habeas Corpus by a Person in State Custody (“Petition”), and all of the records
21 herein, including the June 6, 2018 Report and Recommendation of United States
22 Magistrate Judge (“Report and Recommendation”). The Court approves and
23 accepts the Report and Recommendation, but notes that contrary to the indication
24 in the Report and Recommendation, petitioner has counsel in this action.

25 IT IS HEREBY ORDERED that the Petition is denied on the merits, this
26 action is dismissed with prejudice and Judgment be entered accordingly.

27 ///

28 ///

1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the
2 Report and Recommendation, and the Judgment herein on counsel for petitioner
3 and respondent.

4 IT IS SO ORDERED.

5
6 DATED: July 16, 2018

A handwritten signature in black ink, appearing to read "Andre Birotte Jr.", written over a horizontal line.

7
8
9 HONORABLE ANDRE BIROTTE JR.
10 UNITED STATES DISTRICT JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28